

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HACHETTE BOOK GROUP, INC., HARPERCOLLINS
PUBLISHERS LLC, JOHN WILEY & SONS, INC., and
PENGUIN RANDOM HOUSE LLC

Plaintiffs,

v.

INTERNET ARCHIVE and DOES 1 through 5, inclusive
Defendants.

Case No. 1:20-CV-04160-
JGK

DECLARATION OF
ELIZABETH A.
MCNAMARA IN
SUPPORT OF
PLAINTIFFS'
OPPOSITION TO AMICUS
REQUESTS

Pursuant to 28 U.S.C. § 1746, I, **ELIZABETH A. MCNAMARA**, declare as follows:

1. I am an attorney duly admitted to practice law before this Court and a partner of Davis Wright Tremaine LLP, counsel for plaintiffs Hachette Book Group, Inc. (“Hachette”), HarperCollins Publishers LLC (“HarperCollins”), John Wiley & Sons, Inc. (“Wiley”) and Penguin Random House (“PRH”) (collectively, “Plaintiffs”) in the above-captioned action. I submit this declaration in support of the Plaintiffs’ Opposition to Requests of Michelle Wu, Library Futures, The Authors Alliance, and Jason Schulz for Leave to Appear as Amici Curiae (the “Amicus Opposition”). Except as otherwise indicated, I make this declaration based on discovery in this case, as referenced by citation, or my personal knowledge.

2. Annexed hereto as Exhibit 1 is a true and correct copy of an email chain containing an email from Wendy Hanamura to [REDACTED], dated October 28, 2020.

3. Annexed hereto as Exhibit 2 is a true and correct copy of an email from Wendy Hanamura to Chris Freeland and Jim Michalko, dated October 28, 2020.

4. Annexed hereto as Exhibit 3 is a true and correct copy of excerpts from the transcript of the October 18 and 19, 2021 deposition of Lila Bailey.

5. Annexed hereto as Exhibit 4 is a true and correct copy of an email from Brewster Kahle to Brianna Schofield, dated January 3, 2019.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on July 15, 2022.

/s/ Elizabeth A. McNamara
ELIZABETH A. MCNAMARA